

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:16-CV-00198-BR

Constance Pratt,

Plaintiff,

v.

**Pitt County Department of Social
Services, et al.,**

Defendants.

Order

Defendants Allbritton, Ellis, Adams, Dixon, Dawson, and Mizzelle request that the court place their memorandum in support of their motion for summary judgment, statement of undisputed facts, supporting affidavits, and corresponding exhibits under seal because the pleadings contain information deemed private pursuant to Rule 5.2 of the Federal Rules of Civil Procedure. Defendants filed its motion to seal on February 19, 2018. The motion to seal has been present on the public docket since that time and no member of the public has opposed the motion. Pratt does not oppose the motion to seal.

Pratt also requests that the court place her memorandum of law in support of her response, statement of undisputed facts, and supporting exhibits under seal because the pleadings similarly contain information deemed private pursuant to Rule 5.2 of the Federal Rules of Civil Procedure. Pratt filed her motion to seal on May 2, 2018. The motion to seal has been present on the public docket since that time and no member of the public has opposed the motion. Defendants do not oppose the motion to seal.

Finally, for the same reasons, Defendants request that the court place their reply under seal because the it too, contains, private information. Defendants filed this motion to seal on May 14, 2018. The motion to seal has been present on the public docket since that time and no member of the public has opposed the motion. Plaintiff does not oppose the motion to seal.

After considering the motions to seal and all related filings, the court is of the opinion that the motion to seal should be granted because all of the factors set out in *In re Knight Publishing Co.*, 743 F.2d 231 (4th Cir. 1984) are satisfied. The parties have demonstrated that the documents subject to the motions to seal contain private information including dates of birth, medical information, and information regarding minor children. Based upon this showing, the court finds that both the First Amendment and common law presumption of access has been overcome. Additionally, although the public has had notice of the requests to seal and a reasonable opportunity to oppose the motions, no objections have been filed. Finally, the court has considered less dramatic alternatives to sealing and finds that they would be inadequate

because the private information contained in these documents is appropriately excluded from public access.

Therefore, the motions to seal (D.E. 74, 88, 90) shall be granted. The court orders that the Clerk of Court shall permanently sealed the documents at issue.

Dated: June 11, 2018

A handwritten signature in black ink, reading "Robert T. Numbers II". The signature is written in a cursive, flowing style with a horizontal line extending from the end.

Robert T. Numbers, II
United States Magistrate Judge